

THW 1644

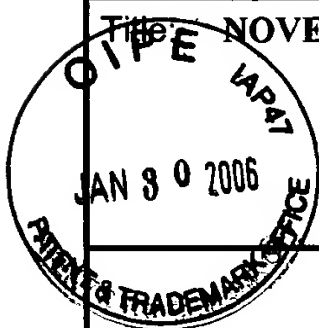
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
MM4454

In Re Application Of: **Jiao HITOMI, et al**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|---------------|-----------------|--------------|----------------|------------------|
| 09/910,208 | July 20, 2001 | Maher M. Haddad | 01109 | 1644 | 4894 |

Title: **NOVEL CALCIUM BINDING PROTEIN**



Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

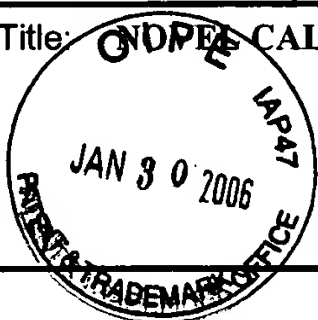
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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
- ☐ Charge the amount of _____
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- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Eugene Lieberstein
Reg. No. 24,645

Signature

Dated: **January 25, 2006**

cc:

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
MM4454

In Re Application Of: **Jiao HITOMI, et al**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|---------------|------------------------|--------------|----------------|------------------|
| 09/910,208 | July 20, 2001 | Maher M. Haddad | 01109 | 1644 | 4894 |

Inventor: **NOVEL CALCIUM BINDING PROTEINS**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

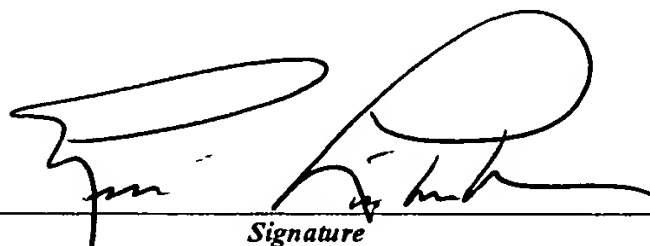
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

Eugene Lieberstein
Reg. No. 24,645

Dated: **January 25, 2006**

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January 25, 2006

(Date)


Signature of Person Mailing Correspondence

M. McGarry

Typed or Printed Name of Person Mailing Correspondence

cc:



Application Number
09/910,208

Filing Date
July 20, 2001

| | |
|----------------|------|
| Group Art Unit | 1644 |
|----------------|------|

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

Office Action which issued in the corresponding European Application citing the following three references:

D2: ODINK, et al "Two Calcium-Binding Proteins In Infiltrate Macrophages Of Rheumatoid Arthritis", NATURE, Vol. 330, 1987, pages 80-82

D3: DIANOUX, A.C., et al "The 23-Kilodalton Protein, A Substrate Of Protein Kinase C, In Bovine Neutrophil Cytosol Is A Member Of The S100 Family", BIOCHEMISTRY, Vol. 31, 1992, pages 5898-5905

D4: SCHLEICHER, C.H., et al "Isolation And N-terminal Sequences Of Two Low Molecular Weight Calcium-Binding Proteins From Pig Granulocytes; INT'L. JOURNAL OF BIOCHEMISTRY, Vol. 25, No. 9, 1993, pages 1251-1256

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.